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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Attorney Docket No. AUS920010663US1

IN RE APPLICATION OF:	§	
	§	
William Hsiao-Yu Ku	§	Examiner: **Sara M. Hanne**
	§	
Serial No. **09/925,258**	§	Art Unit: **2179**
	§	
Filed: **August 9, 2001**	§	
	§	
For: **Entry Panel Processing System**	§	
	§	

APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Brief is submitted in triplicate in support of the Appeal in the above-identified application.

CERTIFICATE OF MAILING
37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First-Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date below:

September 14, 2005 — Date

Robert V. Wilder — Signature

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I. With regard to the rejection of claims 1, 2, 5, 11-12, 15 and 22-23 under 35 USC 102(a) as being anticipated by Trueblood, it is respectfully submitted that there is no disclosure, or teaching in Trueblood sufficient to anticipate the total combination of elements and relationships as presently set forth in the noted claims. 7

II. With regard to the rejection of claims 3-4 and 13-14 under 35 USC 103(a) as being unpatentable over Trueblood in view of Wilks, it is submitted that there is no suggestion in either reference for the proposed combination and even the proposed combination fails to suggest several of the claimed features.. 10

III. With regard to the rejection of claims 6-10 and 16-20 as being unpatentable under 35 USC 103(a) over Trueblood in view

of Ohmori, it is submitted that even the hypothetical combination of Trueblood and Ohmori cannot render claims 6-10 and 16-20 obvious under 35 USC 103(a) since there is no suggestion in either reference for the proposed combination and even the proposed combination fails to suggest several of the claimed features. 11

IV. With regard to the rejection of claim 21 as being unpatentable under 35 USC 103(a) over Trueblood in view of Ohmori, it is submitted that even the hypothetical combination of Trueblood and Ohmori cannot render claim 21 obvious under 35 USC 103(a) since there is no suggestion in either reference for the proposed combination and even the proposed combination fails to suggest several of the claimed features. 12

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REAL PARTY IN INTEREST

The present application is assigned to International Business Machines Corporation, the real party in interest.

RELATED APPEALS AND INTERFERENCES

There are no related Appeals or Interferences currently pending.

STATUS OF THE CLAIMS

Claims 1-23 are pending and stand finally rejected by the Examiner as noted in the Final Office Action mailed May 17, 2005.

STATUS OF AMENDMENTS

Prior to the Final Office Action (mailed 5/17/05), there was only one substantive Office Action mailed 4/7/2004 and one substantive Amendment mailed 7/7/2004. The Second and Final Office Action cited Trueblood (U.S. Patent 5,675,755) for the first time and rejected claims 1, 2, 5, 11-12, 15 and 22-23 under 35 USC 102(a) as being anticipated by Trueblood. The Final Office Action also rejected claims 3-4 and 13-14 under 35 USC 103(a) as being unpatentable over Trueblood in view of Wilks (U.S. Patent

6,246,407), claims 6-10 and 16-20 as being unpatentable under 35 USC 103(a) over Trueblood in view of Ohmori et al (U.S. Patent 6,292,620), and claim 21 as being unpatentable under 35 USC 103(a) over Trueblood in view of Ohmori. The last entered substantive amendment was submitted 7/4/2004 which amended the claims to the text shown in the Appendix.

SUMMARY OF THE INVENTION

The present application discloses a method and implementing computer system for processing a display of an entry panel window on a display device (105, 221) of a user terminal (101), with the entry panel window being selectively caused to appear on the display device to enable input of information in order to effect a continuation of an application coupled to the user terminal from a remote server. The user is enabled to specify entry panel window parameters (Figure 3, 315) which are selectively applicable for defining predetermined characteristics (page 9, lines 8-34) associated with a display of the entry panel window. Upon detection of a receipt of a request at the user terminal from the application at the remote server to present an entry panel window on the display device (page 10, line 8 *et seq.*, Figures 4 & 5), the system displays the entry panel window received from the remote server in accordance with the entry panel window parameters specified by the user. The user is then enabled to input information (page 2, lines 1-6) into the entry panel window (page 8, lines 1-4, Figure 4, 409, 411) in order to

effect a continuation of application.

The above methodology is set forth in pending claim 1, which recites:

"1. A method for processing a display of an entry panel window on a display device of a user terminal, said entry panel window being selectively caused to appear on said display device to enable input of information in order to effect a continuation of an application coupled to said user terminal from a remote server, said method comprising:

enabling a user to specify entry panel window parameters, said entry panel window parameters being selectively applicable for defining predetermined characteristics associated with a display of said entry panel window;

detecting a receipt of a request at said user terminal from said application at said remote server to present an entry panel window on said display device;

displaying said entry panel window received from said remote server in accordance with said entry panel window parameters specified by said user; and

enabling said input of information by said user into said entry panel window in order to effect said continuation of said application.

ISSUES

1. Is the Examiner's rejection of claims 1, 2, 5, 11-12, 15 and 22-23 under 35 USC 102(a) as being anticipated by Trueblood well

founded?

2. Is the Examiner's rejection of claims 3-4 and 13-14 under 35 USC 103(a) as being unpatentable over Trueblood in view of Wilks well founded?

3. Is the Examiner's rejection of claims 6-10 and 16-20 as being unpatentable under 35 USC 103(a) over Trueblood in view of Ohmori well founded?

4. Is the Examiner's rejection of claim 21 as being unpatentable under 35 USC 103(a) over Trueblood in view of Ohmori well founded?

GROUPING OF THE CLAIMS

For purposes of this Appeal, claims 1-23 stand or fall together.

ARGUMENT

I. With regard to the rejection of claims 1, 2, 5, 11-12, 15 and 22-23 under 35 USC 102(a) as being anticipated by Trueblood, it is respectfully submitted that there is no basis, disclosure, or teaching in Trueblood sufficient to anticipate the total combination of elements and relationships as presently set forth in the noted claims as those claims are currently presented in

the Appendix.

All of the independent claims, i.e. claims 1, 11 and 23, are included in the group of claims that was rejected under 35 USC 102(a) as being anticipated solely by the newly cited Trueblood reference. Trueblood discloses a method and apparatus for establishing an "always visible" class of windows (by attribute, flag or other window property) in a computer-implemented windowing environment. Window overlapping is prevented. The "always on top" feature of Trueblood teaches against the present invention since it does not allow an alert or "action required" indication and makes it more difficult if not impossible for a user to work a second window application while waiting for the first window log-on screen to be generated. This is so because the "always on top" window will block at least a portion of an application screen in a second window and prevent a free use of the second window application. With the present invention, the user is enabled to fully work a second application while the log-on window for another application is processing. The present invention allows a full window presentation of the second application and provides an alert (by audio or video or intermittent flashing of the input window which requires user input) on top of the working window when the user terminal receives a request from the first application for user input.

With specific reference to the claim language, it is noted that all of the independent claims 1, 11 and 23 include, *inter alia*, **detecting receipt** of a request **from a server** to present an **entry panel window** at a **user's display device**, displaying the entry panel window in accordance with parameters specified by the user

and **enabling input of information by the user into the entry panel window in order to effect a continuation of the application**. The term "entry panel window" refers to the log-in panel or display window mentioned beginning on line 1 of page 2, wherein a user is requested to input user identification and possible a user password in order to have an accessed application continue. It is submitted that Trueblood does not disclose or teach the claimed processing methodology. Trueblood, instead, discloses only a method for keeping a selected window on top of all other windows which have not been designated as "always on top" windows.

As alleged anticipation for the "detecting receipt" of a request from a server to present an entry panel window, the Examiner cites column 5, lines 45 et seq. of Trueblood. However, in the cited passage, it is stated that requests are made from the user terminal to a server for the performance of a specific operation. The server then respond by performing the requested service or by sending a reply to the user that includes the requested information. This is just the opposite of what is claimed. As claimed, the present invention detects a request for log-on information from the server and then presents the log-on screen in accordance with the user display preferences for the log-on screen. Trueblood nowhere even mentions the log-on problems addressed and solved by the present invention. Therefore, it is submitted that there is no anticipation by Trueblood of the "detecting" function as set forth in the independent claims 1, 11 or 23, or any of the remaining claims (2-10 and 12-22) which ultimately depend from, **and include the limitations of**, any one of the independent claims.

Still further, as alleged anticipation for the language "enabling said input of information by said user into said entry panel window in order to effect said continuation of said application", column 5, lines 13-32 and column 16, line 20 *et seq.* of Trueblood are cited. Column 5, lines 13-32 contain a very general description of standard input device hardware and column 16, line 20 *et seq.* describe an **air traffic control application** of the "always on top" feature of Trueblood. Neither document reference discloses or teaches enabling said input of information by said user into said entry panel window in order to effect said continuation of said application as is clearly set forth in the independent claims. Therefore, it is submitted that there is no anticipation by Trueblood of, **after a detecting of a server request for information**, to enable user input to an **entry panel window in order to effect said continuation of said application** as set forth in the independent claims 1, 11 or 23, or any of the remaining claims (2-10 and 12-22) which ultimately depend from, **and include the limitations of**, any one of the independent claims. Thus it is submitted that claims 1, 2, 5, 11-12, 15 and 22-23 are allowable under 35 USC 102(a) over the Trueblood reference.

II. With regard to the rejection of claims 3-4 and 13-14 under 35 USC 103(a) as being unpatentable over Trueblood in view of Wilks, it is submitted that there is no suggestion in either reference for the proposed combination and even the proposed combination fails to suggest several of the claimed features. It is noted that claims 3 and 13 add a limitation that entry panel window intermittently appears, and claims 4 and 14 add a limitation that

the entry panel window appears at regular intervals. In the Final Office Action, it was alleged that the combination of Trueblood and Wilks renders the noted features obvious. As discussed above, Trueblood does not disclose "detecting" or "enabling" as et forth in the independent claims. Wilks also does not disclose the "detecting" or "enabling" functions as claimed. Thus, even a hypothetical combination of Trueblood and Wilks cannot render claims 3-4 and 13-14 obvious since such a combination would still lack a specific disclosure of, or even a suggestion for, detecting a server request for information and, in response thereto, enabling a user input to a log-in entry panel. Further, the reference in Wilks (column 4, line 65 - column 5, line 10) does not teach or suggest an "intermittent display" or a display "at regular intervals" as claimed by applicant, but rather only a means for a user to manipulate a pointer in order to change a translucent window into an in-focus window. Thus, it is submitted that claims 3-4 and 13-14 are allowable under 35 USC 103(a) over Trueblood in view of Wilks.

III. With regard to the rejection of claims 6-10 and 16-20 as being unpatentable under 35 USC 103(a) over Trueblood in view of Ohmori, it is submitted that even the hypothetical combination of Trueblood and Ohmori cannot render claims 6-10 and 16-20 obvious under 35 USC 103(a) since there is no suggestion in either reference for the proposed combination and even the proposed combination fails to suggest several of the claimed features. It is noted that Ohmori discloses an edited list creating apparatus, editing apparatus and editing method by which audio and video alerts are inserted into audio/video tracks. Ohmori was cited merely to allegedly show application of audio and video alert

signals at selected points in an audio/video track. Ohmori is in an entirely different field, the application is different, and even a combination of Trueblood and Ohmori would still lack a specific disclosure of, or even a suggestion for, detecting a server request for information and, in response thereto, enabling a user input to a log-in entry panel as discussed above. Thus, it is submitted that claims 6-10 and 16-20 are allowable under 35 USC 103(a) over Trueblood in view of Ohmori.

IV. With regard to the rejection of claim 21 as being unpatentable under 35 USC 103(a) over Trueblood in view of Ohmori, it is submitted that even the hypothetical combination of Trueblood and Ohmori cannot render claim 21 obvious under 35 USC 103(a) since there is no suggestion in either reference for the proposed combination and even the proposed combination fails to suggest several of the claimed features. It is noted that claim 21 adds a limitation that the user terminal is a wireless device. Applicant is not claiming that wireless devices are novel but rather only that the specific combination of elements and relationships as set forth in 21 are not disclosed or suggested by the cited references. Claim 21 depends from and includes all of the limitations of independent claim 11 which has been distinguished above from the Trueblood and Ohmori references. Even a combination of Trueblood and Ohmori would still lack a specific disclosure of, or even a suggestion for, detecting a server request for information and, in response thereto, enabling a user input to a log-in entry panel as discussed above. Thus, it is submitted that claim 21 is allowable under 35 USC 103(a) over Trueblood in view of Ohmori.

CONCLUSION

For the reasons stated above, applicant urges the Board to conclude that the rejections of claims 1, 2, 5, 11-12, 15 and 22-23 under 35 USC 102(a) as being anticipated by Trueblood, and the rejection of claims 3-4 and 13-14 under 35 USC 103(a) as being unpatentable over Trueblood in view of Wilks, and the rejection of claims 6-10 and 16-20 as being unpatentable under 35 USC 103(a) over Trueblood in view of Ohmori et al, and the rejection of claim 21 as being unpatentable under 35 USC 103(a) over Trueblood in view of Ohmori, are not well-founded and should be reversed.

Please charge IBM Corporation Deposit Account No. 09-0447 in the amount of $500.00 for submission of a Brief in Support of Appeal. No additional fee or extension of time is believed to be required; however, in the event an additional fee or extension of time is required, please charge the fee, as well as any other fee necessary to further the prosecution of this application, to the above-identified deposit account.

Respectfully submitted,

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APPENDIX

1. A method for processing a display of an entry panel window on a display device of a user terminal, said entry panel window being selectively caused to appear on said display device to enable input of information in order to effect a continuation of an application coupled to said user terminal from a remote server, said method comprising:

enabling a user to specify entry panel window parameters, said entry panel window parameters being selectively applicable for defining predetermined characteristics associated with a display of said entry panel window;

detecting a receipt of a request at said user terminal from said application at said remote server to present an entry panel window on said display device;

displaying said entry panel window received from said remote server in accordance with said entry panel window parameters specified by said user; and

enabling said input of information by said user into said entry panel window in order to effect said continuation of said application.

2. The method as set forth in claim 1 wherein said entry panel window parameters include a specification that said entry panel

window is always displayed on top of other windows appearing on said display device.

3. The method as set forth in claim 1 wherein said entry panel window parameters include a specification that said entry panel window intermittently appears on top of other windows appearing on said display device.

4. The method as set forth in claim 3 wherein said entry panel window parameters include a specification that said entry panel window is caused to appear on top of other windows appearing on said display device at regular intervals.

5. The method as set forth in claim 1 wherein said entry panel window parameters include a specification of a perceptible alert signal, said method further including generating said perceptible alert signal in response to said detecting.

6. The method as set forth in claim 5 wherein said perceptible alert signal is an audio alert signal designed to alert said user to a detection of said entry panel window.

7. The method as set forth in claim 6 and further including enabling a user to select said audio alert signal from a number of different audio alert signals.

8. The method as set forth in claim 5 wherein said perceptible alert signal is a video alert signal designed to alert said user

to a detection of said entry panel window.

9. The method as set forth in claim 8 and further including enabling a user to select said video alert signal from a number of different video alert signals.

10. The method as set forth in claim 5 and further including enabling a user to select a combination of audio and video alert signals wherein said combination of alert signals is designed to alert said user to a detection of said entry panel window.

11. A user terminal including input means and a display device, said user terminal being selectively operable to effect a display of an entry panel window to enable input of information through said input means in order to effect a continuation of an application coupled to said user terminal from a remote server, said user terminal further including:

means for enabling a user to specify entry panel window parameters, said entry panel window parameters being selectively applicable for defining predetermined characteristics associated with a display of said entry panel window;

means for detecting a receipt of a request at said user terminal from said application at said remote server to present an entry panel window on said display device;

means for displaying said entry panel window received from said

remote server on said display device in accordance with said entry panel window parameters specified by said user; and

means for enabling said input of information by said user into said entry panel window in order to effect said continuation of said application.

12. The user terminal as set forth in claim 11 wherein said entry panel window parameters include a specification that said entry panel window is always displayed on top of other windows appearing on said display device.

13. The user terminal as set forth in claim 11 wherein said entry panel window parameters include a specification that said entry panel window intermittently appears on top of other windows appearing on said display device.

14. The user terminal as set forth in claim 13 wherein said entry panel window parameters include a specification that said entry panel window is caused to appear on top of other windows appearing on said display device at regular intervals.

15. The user terminal as set forth in claim 11 wherein said entry panel window parameters include a specification of a perceptible alert signal, said user terminal further including means for generating said perceptible alert signal in response to said detecting.

16. The user terminal as set forth in claim 15 wherein said perceptible alert signal is an audio alert signal designed to alert said user to a detection of said entry panel window.

17. The user terminal as set forth in claim 16 and further including means for enabling a user to select said audio alert signal from a number of different audio alert signals.

18. The user terminal as set forth in claim 15 wherein said perceptible alert signal is a video alert signal designed to alert said user to a detection of said entry panel window.

19. The user terminal as set forth in claim 18 and further including means for enabling a user to select said video alert signal from a number of different video alert signals.

20. The user terminal as set forth in claim 15 and further including means for enabling a user to select a combination of audio and video alert signals wherein said combination of alert signals is designed to alert said user to a detection of said entry panel window.

21. The user terminal as set forth in claim 11 wherein said user terminal is a wireless device.

22. The user terminal as set forth in claim 11 wherein said user terminal comprises a personal computer.

23. A storage medium including machine readable coded indicia, said storage medium being selectively coupled to a reading device, said reading device being selectively coupled to processing circuitry within a computer system, said reading device being selectively operable to read said machine readable coded indicia and provide program signals representative thereof, said program signals being effective to enable for processing a display of an entry panel window on a display device of a user terminal, said entry panel window being selectively caused to appear on said display device to enable input of information in order to effect a continuation of an application coupled to said user terminal from a remote server, said program signals being further selectively operable for:

enabling a user to specify entry panel window parameters, said entry panel window parameters being selectively applicable for defining predetermined characteristics associated with a display of said entry panel window;

detecting a receipt of a request at said user terminal from said application at said remote server to present an entry panel window on said display device;

displaying said entry panel window received from said remote server in accordance with said entry panel window parameters specified by said user; and

554 enabling said input of information by said user into said entry
555 panel window in order to effect said continuation of said
556 application.
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